

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

IN RE: VALSARTAN, :
LOSARTAN, and IRBESARTAN : MDL No. 19-2875 (RBK/KW)
PRODUCTS LIABILITY LITIGATION :
: :
This Order Relates to all Cases :

SPECIAL MASTER ORDER NO. 1

Having received via email two separate requests for extensions of certain looming deadlines and having responded to the requests that they were granted with formal orders to follow; and having conducted a conference call with counsel on January 27, 2021, during which certain determinations were made that are memorialized in the transcript of that proceeding (Doc. 814); and intending now to place on the docket of this case those orders and determinations,

It is hereby ORDERED this 1st day of February, 2021 as follows:

1. The briefing deadline on the T3 data/DSCSA issue is extended to February 8, 2021. If the parties are unable to resolve this issue by February 8, 2021 it will be addressed during the February 10, 2021 conference call with the Special Master.
2. Plaintiffs' request to defer filing a motion for leave to amend the complaint in response to the Court's orders on motions to dismiss until thirty (30) days after the issuance of Motion to Dismiss ("MTD") Opinion #3 is **GRANTED**. Plaintiffs may file a single motion for leave

to amend the complaint no later than 30 days after the Court's January 22, 2021 MTD #3 Order.¹

3. The next mid-month status conference, scheduled for 4:00 p.m. on February 10, 2021, will be held via Zoom and will involve only the Plaintiffs and Defense Leadership Lawyers.² An invitation with the Zoom link will be sent to leadership counsel listed in the footnote. If either Plaintiffs' or Defendants' liaison counsel considers that other lawyers should participate, I ask that they please notify me.
4. Any email communication from liaison counsel to the Special Master shall also be sent to the leadership counsel for Plaintiffs and Defendants.
5. A concise written summary of this matter shall be submitted to the Special Master, one on behalf of Plaintiffs and one on behalf of Defendants. Each summary shall be double-spaced and not exceed 10 pages. No exhibits are to be submitted with the summary, but counsel may hyperlink to matters in the record of this case. Counsel are encouraged, but not required, to submit their respective written summaries by February 9, 2021.

¹ Plaintiffs' request is intended to avoid the necessity of filing multiple motions for leave to amend the complaint in response to the Court's rulings on four separate motions to dismiss. On January 29, 2021, the Court issued its Opinion on MTD #4. The accompanying Order provided Plaintiffs with thirty (30) days from January 29, 2021 to move for leave to amend the complaint in response to the rulings on MTD #4. Plaintiffs have not indicated that they are requesting that the deadline for a single motion for leave to amend the complaint be extended until thirty (30) days after January 29, 2021. Accordingly, the relief here is limited to that requested by Plaintiffs.

² At the present time, the defense leadership counsel are: Seth Goldberg (SAGoldberg@duanemorris.com); Jessica Prisela (JPrisela@duanemorris.com); Lori Cohen (cohenl@gtlaw.com); Clem Trischler (cct@pietragallo.com); Sarah Johnston (sarah.johnston@btlaw.com); and Jeff Goeppinger (jgeoppinger@ulmer.com). Plaintiffs' leadership counsel are: Adam Slater (ASlater@mazieslater.com); Ruben Honik (ruben@honiklaw.com); Daniel Nigh (dnigh@levinlaw.com); Conlee Whiteley (c.whiteley@kanner-law.com); and David Stanoch (d.stanoch@kanner-law.com). Please correct any inaccurate email addresses.

6. Discussion during the February 10, 2021 conference call shall include, but not necessarily be limited to, the T3/DSCSA issue; the schedule for the deposition of ZHP witnesses; Plaintiffs' request for additional information in connection with defense privilege logs; service of complaints concerning Losartan and Irebesartan on Defendants already served with process on the Valsartan complaint; the motion for Protective Order seeking preclusion of certain depositions (Doc. 765); and any other matters raised by counsel.

s/ Thomas I. Vanaskie
Hon. Thomas I. Vanaskie (Ret.)
Special Master